

USDOL/OALJ Reporter

[\*Delaney v. Stone & Webster Engineering Corp.\*, 93-ERA-52 \(Sec'y Feb. 4, 1994\)](#)  
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DATE: February 4, 1994  
CASE NO. 93-ERA-52

IN THE MATTER OF

WILLIAM F. DELANEY,

COMPLAINANT,

v.

STONE & WEBSTER ENGINEERING  
CORPORATION,

RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

FINAL ORDER APPROVING SETTLEMENT  
AND DISMISSING COMPLAINT

Before me for review is the Recommended Order of Dismissal (R.O.) of the Administrative Law Judge (ALJ) issued on December 3, 1993 in this case arising under the employee protection provisions of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1988). The ALJ recommended approval of a settlement agreement and release, and dismissal of the complaint pursuant to the parties' Joint Motion to Dismiss Complaint with Prejudice and Approve Settlement.

Upon careful review of the terms of the settlement agreement and release submitted by the parties before the ALJ, I find the terms to be fair, adequate and reasonable to settle Complainant's allegation that Respondent violated the ERA. I note, however, that the agreement may encompass the settlement of matters arising under various laws, only one of which is the ERA. For the reasons set forth in *Poulos v. Ambassador Fuel Oil Co., Inc.*, Case No. 86-CAA-1, Sec. Ord., Nov. 2, 1987, slip op. at 2, I have limited my review of the agreement to determining whether its terms are a fair, adequate and reasonable settlement of

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Complainant's allegation that Respondent violated the ERA.

Accordingly, I approve the settlement agreement and dismiss the complaint with prejudice.

SO ORDERED.

ROBERT B. REICH  
Secretary of Labor

Washington, D.C.